

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

BRIAN LAMY,

Plaintiff and Counterclaim Defendant
v.

BRUKER BIOSPIN CORPORATION and
BRUKER CORPORATION f/k/a BRUKER
BIOSCIENCES CORPORATION,

Defendants and Counterclaim Plaintiffs

Civil Action No. 08-11621-JLT

STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii), Plaintiff Brian Lamy and Defendants Bruker BioSpin Corporation and Bruker Corporation f/k/a Bruker BioSciences Corporation (collectively referred to as "the Parties"), stipulate, through their counsel of record and subject to the approval of the Court that:

- (1) All claims presented by the Complaint against Bruker BioSpin Corporation and Bruker Corporation f/k/a Bruker BioSciences Corporation shall be dismissed with prejudice;
- (2) All claims presented by the Answer and Counterclaim against Brian Lamy shall be dismissed with prejudice;
- (3) The parties shall waive their rights of appeal; and
- (4) The Parties shall bear their own costs and attorney's fees.

Dated: June 12, 2009

/s/ Joshua H. Orr

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Dated: June 12, 2009

/s/ Kenneth I. Gordon

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Attorney for Brian Lamy

CERTIFICATE OF SERVICE

I, Joshua H. Orr, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on this 12th day of June, 2009.

/s/ Joshua H. Orr

Joshua H. Orr